



Appeal Decision

Site visit made on 15 August 2022

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17TH August 2022

Appeal Ref: APP/Z4310/Z/22/3301672

189 Longmoor Lane, Liverpool L9 0ED

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Liverpool City Council.
 - The application Ref 21A/3391, dated 10 November 2021, was refused by notice dated 29 April 2022.
 - The advertisement proposed is an upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is allowed and express consent is granted for the upgrade of existing 48 sheet advert to support digital poster as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-
 - 1) The levels of the illuminance shall not exceed 600cd/m² during daylight hours or exceed 300cd/m² during twilight and night hours.
 - 2) The screen display should contain no moving images, animation, video or full motion images and no messaging should spread across more than one screen image.
 - 3) The advertisement display shall not change more frequently than every 10 seconds and the rate of change should be instantaneous.

Main Issue

2. Subject to the imposition of conditions concerning the display, the Council does not raise concern with the proposal in terms of public safety. Hence, the main issue is the effect of the proposed advert on the amenity of the area.

Reasons

3. The appeal site relates to the first-floor flank elevation of 189 Longmoor Lane which is located at the junction with Inglis Road. Longmoor Lane is on the Primary Strategic Route Network and is a busy thoroughfare containing a mixture of commercial and residential uses. Adverts can be found on the facades of commercial premises on Longmoor Road.
4. The explanation to Policy UD9 of the Liverpool Local Plan 2013 – 2033 (Local Plan) sets out that advertisements above ground floor level on buildings or those sited in predominantly residential areas would normally be considered

inappropriate. However, the existing 48 sheet advertising hoarding sited on the first-floor elevation of No. 189 has been in situ for over 10 years without any enforcement or discontinuance action being brought against it. As such, there is no dispute that it benefits from deemed consent.

5. The proposed advert would be of the same size as the existing advert and located in the same place. I recognise that the proposed advert would be an internally illuminated digital display, and it would be highly visible, especially when travelling in a north-easterly direction along Longmoor Road, but given the existing advert, its size, scale and design would be appropriate for the size, scale and architectural detailing of the building. I recognise that most adverts in the area are associated with shop fronts, are smaller and positioned lower down on the buildings, but the proposal, which would display static images, would not be obtrusive given the history on an advert on this elevation and the site's context. The advert would not also, subject to the imposition of planning conditions to control the luminance and the nature of the display, detract from the amenity of the area given existing street lighting.
6. I conclude therefore that although the proposal would be clearly visible and in a prominent position, it would not harm the visual amenity of the area. In its reason for refusal, the Council referred to Local Plan Policies UD1 and UD9. As they seek high quality adverts that are appropriate for the size, scale and architectural detailing of the building and that do not detract from the character of the area, they are material in this case. However, the proposal would accord with these policies.

Conditions

7. In addition to the 5 standard conditions, I have imposed conditions in respect of the level of illuminance, the screen display, and the frequency of the display changing, in the interests of public safety, to avoid glare, dazzle or distraction to passing motorists.

Conclusion

8. For the reasons given above, I conclude that the display of the advertisement would not be detrimental to the interests of amenity and public safety. As such, the appeal is allowed, subject to the conditions specified.

Andrew McGlone

INSPECTOR